

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

JAMAL ALLMOND,  
Plaintiff,

vs

DAWN FREDERICK, et al.,  
Defendants.

Case No. 1:13-cv-680

Weber, J.  
Litkovitz, M.J.


**REPORT AND  
RECOMMENDATION**

Plaintiff has filed a complaint against defendants Dawn Frederick, K. Parker, M. Stuntebeck, C. Davis, and D. Morgan. (Doc. 3). On November 20, 2013, the undersigned issued a Report and Recommendation recommending that the complaint be dismissed against all defendants for failure to state a claim upon which relief may be granted. (Doc. 5). This matter is before the Court on plaintiff's motion for leave to file an amended complaint. (Doc. 6).

In the motion, plaintiff claims that he filed individual complaint forms for each defendant named in the complaint and requests the Court to consolidate his claims into one case. *See id.* Plaintiff did submit multiple complaint forms in this case, each containing identical factual allegations but listing the defendants in different order.<sup>1</sup> However, because plaintiff fails to allege any facts which cure the deficiencies set forth in the Court's November 20, 2013 Report and Recommendation his motion to amend the complaint should be denied.

**IT IS THEREFORE RECOMMENDED THAT** plaintiff's motion for leave to file an amended complaint (Doc. 6) be **DENIED**.

Date: 12/19/13

  
Karen L. Litkovitz  
United States Magistrate Judge

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<sup>1</sup> The multiple complaint forms were docketed as service copies in this case because of the identical factual allegations.

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**NOTICE**

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to this Report & Recommendation (“R&R”) within **FOURTEEN (14) DAYS** after being served with a copy thereof. That period may be extended further by the Court on timely motion by either side for an extension of time. All objections shall specify the portion(s) of the R&R objected to, and shall be accompanied by a memorandum of law in support of the objections. A party shall respond to an opponent’s objections within **FOURTEEN DAYS** after being served with a copy of those objections. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

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